

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 513 Comprehensive Review Study of the Central and Southern Florida Project

**SPONSOR(S):** Bartleman and Busatta Cabrera

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1326

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Environment, Agriculture & Flooding Subcommittee		Gawin	Moore
2) Agriculture & Natural Resources Appropriations Subcommittee			
3) State Affairs Committee			

### SUMMARY ANALYSIS

The Central and Southern Florida Project (Project) was authorized by Congress in the 1948 Flood Control Act. It is a multi-purpose project that provides flood control; water supply for municipal, industrial, and agricultural uses; prevention of saltwater intrusion; water supply for the Everglades National Park; and protection of fish and wildlife resources. The primary system includes about 1,000 miles each of levees and canals, 150 water control structures, and 16 major pump stations. The Project involves an area of about 18,000 square miles, which includes all or part of 18 counties in central and southern Florida.

The Central and Southern Florida Project Comprehensive Review Study (restudy) was authorized by Congress in 1992, and again in 1996, to review and reassess the Project. The restudy serves as a recommended framework for modifications to the Project. Additionally, in 2000 Congress authorized the Comprehensive Everglades Restoration Plan (CERP), which created a framework for modifications and operational changes to the Project needed to restore, preserve, and protect the south Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The South Florida Water Management District (SFWMD) is the local sponsor for both the Project and CERP.

By October 1, 2023, and each October 1<sup>st</sup> thereafter, the bill requires SFWMD to prepare and submit a consolidated annual report regarding the status of the restudy to the Office of Economic and Demographic Research, the Department of Environmental Protection, the Governor, and the Legislature.

The bill may have an insignificant negative fiscal impact on state government.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Background

###### Central and Southern Florida Project

The Central and Southern Florida Project (Project) was authorized by Congress in the 1948 Flood Control Act.<sup>1</sup> It is a multi-purpose project that provides flood control; water supply for municipal, industrial, and agricultural uses; prevention of saltwater intrusion; water supply for the Everglades National Park; and protection of fish and wildlife resources.<sup>2</sup> The primary system includes about 1,000 miles each of levees and canals, 150 water control structures, and 16 major pump stations.<sup>3</sup> The Project involves an area of about 18,000 square miles, which includes all or part of 18 counties in central and southern Florida.<sup>4</sup>

The Project provides an east coast protective levee, extending from the Homestead area north to the eastern shore of Lake Okeechobee near St. Lucie Canal.<sup>5</sup> There are three conservation areas for water impoundment in the Everglades area, west of the protective levee, with control structures to transfer water as necessary.<sup>6</sup> There are also local protective works along the lower east coast with an encirclement of the Lake Okeechobee agricultural area by levees and canals.<sup>7</sup> Enlargement of portions of the Miami, North New River, Hillsboro, and West Palm Beach Canals and existing Lake Okeechobee levees are part of the Project.<sup>8</sup>

The Project provides water control and protection from the recurrence of flood waters for the highly developed urban area along the lower east coast of Florida, for the agricultural areas around Lake Okeechobee, in the Upper St. Johns and Kissimmee River Basin, and in south Miami-Dade County.<sup>9</sup> Another project function is the conservation of floodwaters for beneficial uses during dry seasons.<sup>10</sup> The Project also delivers water to Everglades National Park according to a set schedule.<sup>11</sup>

The U.S. Army Corps of Engineers (Corps) operates and maintains project works on the St. Lucie Canal, Caloosahatchee River, Lake Okeechobee levees, channels, and major spillways, and the main outlets for Water Conservation Areas 1, 2A, and 3A.<sup>12</sup> The South Florida Water Management District (SFWMD) operates the remainder of the Project in accordance with regulations prescribed by the Corps. SFWMD is authorized to act as local sponsor of the Project for those project features located within the district.<sup>13</sup> As the local sponsor, SFWMD has an essential role with the Corps in developing

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<sup>1</sup> Section 373.470(2)(g), F.S., defines the Project as the Central and Southern Florida Project authorized under the heading “CENTRAL AND SOUTHERN FLORIDA” in s. 203 of the Flood Control Act of 1948, and any modification to the project authorized by law.

<sup>2</sup> Corps, *Fact Sheet Central and Southern Florida Project*, available at [https://www.saj.usace.army.mil/Portals/44/docs/CongressionalIFS/2015/CSF\\_Project\\_\(C\)\\_CFS15.pdf](https://www.saj.usace.army.mil/Portals/44/docs/CongressionalIFS/2015/CSF_Project_(C)_CFS15.pdf) (last visited Jan. 5, 2022).

<sup>3</sup> Corps, *The Central and Southern Florida Project Comprehensive Review Study, Final Feasibility Report and Programmatic Environmental Impact Statement* (April 1999), available at [https://www.sfwmd.gov/sites/default/files/documents/CENTRAL\\_AND\\_SOUTHERN\\_FLORIDA\\_PROJECT\\_COMPREHENSIVE\\_REVIEW\\_STUDY.pdf](https://www.sfwmd.gov/sites/default/files/documents/CENTRAL_AND_SOUTHERN_FLORIDA_PROJECT_COMPREHENSIVE_REVIEW_STUDY.pdf) (last visited Jan. 4, 2022).

<sup>4</sup> Corps, *Central & Southern (C&SF) Project*, <https://www.saj.usace.army.mil/About/Congressional-Fact-Sheets-2021/C-SF-Project-C/> (last visited Jan. 4, 2022).

<sup>5</sup> Corps, *Fact Sheet C&SF O&M*, [https://www.saj.usace.army.mil/Portals/44/docs/CongressionalIFS/2015/CSF\\_\(OM\)\\_CFS15.pdf](https://www.saj.usace.army.mil/Portals/44/docs/CongressionalIFS/2015/CSF_(OM)_CFS15.pdf) (last visited Jan 4, 2022).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> Section 373.1501(4), F.S.

water management criteria for the Project and is responsible for allocation of water from project storage, except where mandated by federal law.

#### Restudy and Comprehensive Everglades Restoration Plan

The Central and Southern Florida Project Comprehensive Review Study (restudy) was authorized by Congress in 1992, and again in 1996, to review and reassess the Project.<sup>14</sup> The restudy serves as a recommended framework for modifications to the Project.<sup>15</sup> Additionally, in 2000, Congress authorized the Comprehensive Everglades Restoration Plan (CERP), which created a framework for modifications and operational changes to the Project needed to restore, preserve, and protect the south Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection.<sup>16</sup> SFWMD also acts as the local sponsor for CERP. CERP is a 50-50 partnership between the state and the federal government.<sup>17</sup>

The Corps has conducted an initial appraisal to review the significant changes impacting the Project that have taken place since the Project's inception in 1948 and make recommendations for additional future studies.<sup>18</sup> The Corps concluded in the appraisal that an Updated Project Feasibility Study should be conducted.<sup>19</sup> Additionally, SFWMD has requested to initiate the Central and South Florida Flood Resiliency Study.<sup>20</sup> This study would analyze the Project to assess which infrastructure is at the highest risk of impact from a changing climate and address flood vulnerabilities, water supply needs, and surge protection.<sup>21</sup>

#### **Effect of the Bill**

By October 1, 2023, and each October 1<sup>st</sup> thereafter, the bill requires SFWMD to prepare and submit a consolidated annual report regarding the status of the restudy to the Office of Economic and Demographic Research, the Department of Environmental Protection, the Governor, and the Legislature.

The bill requires the report to include the following:

- A summary of the findings in SFWMD's annual sea level rise and flood resiliency plan;
- A list of structures that are expected to fall below the expected service level in the next five years;
- Initial recommendations for the refurbishment or replacement of the structures expected to fall below service level in the next five years, including:
  - Future cost estimates and timelines for the refurbishment or replacement of the most vulnerable structures; and
  - An estimate of any projected annual funding gaps required to implement the recommendations based on a 10-year horizon.
- A summary of the state and federal funds expended toward the implementation of the restudy and other regional resiliency efforts of SFWMD through June 30<sup>th</sup> of each year.

#### **B. SECTION DIRECTORY:**

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<sup>14</sup> Corps, *The Central and Southern Florida Project Comprehensive Review Study Final Feasibility Report and Programmatic Environmental Impact Statement* (April 1999), available at [https://www.sfwmd.gov/sites/default/files/documents/CENTRAL\\_AND\\_SOUTHERN\\_FLORIDA\\_PROJECT\\_COMPREHENSIVE\\_REVIEW\\_STUDY.pdf](https://www.sfwmd.gov/sites/default/files/documents/CENTRAL_AND_SOUTHERN_FLORIDA_PROJECT_COMPREHENSIVE_REVIEW_STUDY.pdf) (last visited Jan. 4, 2022).

<sup>15</sup> *Id.* at xiv.

<sup>16</sup> 33 U.S.C. § 385.8(a); s. 373.470(2)(b), F.S., the Comprehensive Plan is the Final Feasibility Report and Programmatic Environmental Impact Statement published in 1999.

<sup>17</sup> SFWMD, *CERP Project Planning*, <https://www.sfwmd.gov/our-work/cerp-project-planning#:~:text=What%20is%20CERP%3F,Florida%20and%20the%20federal%20government> (last visited Jan. 5, 2022).

<sup>18</sup> SFWMD, *Initial Appraisal Report for the Central and Southern Florida Project*, available at <https://www.sfwmd.gov/sites/default/files/documents/CSF-Sect216-Initial-Appraisal-Report-Final.pdf> (last visited Jan. 5, 2022).

<sup>19</sup> *Id.*

<sup>20</sup> SFWMD, *Central and Southern Florida Flood Resiliency Study*, <https://www.sfwmd.gov/our-work/central-and-southern-florida-flood-resiliency-study> (last visited Jan. 4, 2022).

<sup>21</sup> *Id.*

Section 1. Amends s. 373.1501, F.S., requiring SFWMD to create an annual report related to sea level rise, flooding, and associated infrastructure and costs.

Section 2. Provides an effective date of July 1, 2022.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

The bill may have an insignificant negative fiscal impact on SFWMD associated with conducting the annual report.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

### **D. FISCAL COMMENTS:**

None.

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

### **B. RULE-MAKING AUTHORITY:**

None.

### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

## **IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.